

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

JACQUELYNN NICKLER,

Plaintiff(s),

v.

COUNTY OF CLARK, et al.,

Defendant(s).

Case No. 2:18-CV-1668 JCM (VCF)

ORDER

Presently before the court is the matter of *Nickler v. Clark County et al.*, case number 2:18-cv-01668-JCM-VCF.

Defendants Kathleen Lambermont and Clark County filed a motion to dismiss this action on November 28, 2018. (ECF No. 18). The same day, defendant Steven D. Grierson filed his own motion to dismiss. (ECF No. 19). On April 15, 2019, the court granted both motions and dismissed all of plaintiff Jacquelynn Nickler's claims as time barred. (ECF No. 41). Nickler appealed. (ECF No. 43).

On February 12, 2020, the Ninth Circuit affirmed the court's dismissal of Nickler's state claims. (ECF No. 47). However, the Ninth Circuit reversed and remanded the court's dismissal of Nickler's federal discrimination claims. *Id.* Although this court "did not err in dismissing Nickler's federal discrimination claims as time-barred," the Ninth Circuit indicated that "it is possible that the complaint could have been saved by amendment." *Id.* at 3.

Thus, the court instructs Nickler to file, within 30 days of this order, an amended complaint that sufficiently pleads facts that establish the timeliness of her federal claims. The court also admonishes Nickler that failure to comply with this court's order will result in dismissal of her federal claims as time barred.

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Nickler shall, within 30 days of this order, file an amended complaint that sufficiently pleads the timeliness of her federal claims.

James C. Mahan  
UNITED STATES DISTRICT JUDGE